

Message Text

CONFIDENTIAL

PAGE 01 ANKARA 07316 231632Z

55

ACTION EUR-12

INFO OCT-01 ISO-00 EURE-00 CIAE-00 DODE-00 NSAE-00 NSCE-00

SSO-00 USIE-00 INRE-00 PM-04 H-02 INR-07 L-03 NSC-05

PA-01 PRS-01 SP-02 SS-15 CAB-02 COME-00 DOTE-00 EB-07

CIEP-01 FAA-00 AID-05 IGA-02 /070 W

----- 057756

O 231543Z SEP 76

FM AMEMBASSY ANKARA

TO SECSTATE WASHDC IMMEDIATE 4977

C O N F I D E N T I A L ANKARA 7316

E.O. 11652: GDS

TAGS: PFOR, THGA, ETRD, EAID, MILI, TU, US

SUBJECT: ALLEGED TURKISH VIOLATIONS OF AGREEMENT ON LOCKHEED
DOCUMENTS

REF: STATE 234280

SUMMARY. PRIME MINISTER DEMIREL AUGUST 3 AND JUSTICE MINISTER MUFTULGLU AUGUST 31 SAID THAT LOCKHEED DOCUMENTATION WOULD BE MADE AVAILABLE TO PARTLIAMENTARY INVESTIGATING COMMISSION. STATEMENTS WERE REPORTED AMBIGUOUSLY IN PRESS ALONG WITH CHARGES BY COMMISSION CHAIRMAN THAT DEMIREL WAS WITHHOLDING INFORMATION AND STATEMENT BY JUSTICE MINISTER THAT NO MATERIAL WOULD BE TURNED OVER TO COMMISSION UNTIL END OF INVESTIGATION AND PROSECUTION IN ACCORDANCE WITH US/TURKISH BILATERAL AGREEMENT ON LOCKHEED/MCDONNELL-DOUGLAS DOCUMENTATION. BEST INFORMATION AVAILABLE TO DIRECTOR OF INTERNATIONAL SECURITY AFFAIRS, MFA, IS THAT TRANSFER HAS NOT YET ACTUALLY BEEN MADE. EMBASSY IS REQUESTING CLARIFICATION FROM MFA. END SUMMARY.

1. ACCORDING TO TURKISH RADIO AND TELEVISION NEWS REPORT AUGUST 3, PRIME MINISTER DEMIREL SAID THAT DAY: QUOTE. IN ACCORDANCE WITH THIS AGREEMENT, ALL OCUMENTS AND INFOR-
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 ANKARA 07316 231632Z

MATION HAVE BEEN TRANSMITTED TO INVESTIGATION ORGANS THROUGH

TURKISH MINISTRY OF JUSTICE. HOWEVER, AS PARLIAMENTARY INVESTIGATING COMMISSION ALSO WANTED TO EXAMINE SAME DOCUMENTS AND INFORMATION, I HAVE GIVEN NECESSARY INSTRUCTIONS TO MINISTRIES OF JUSTICE AND FOREIGN AFFAIRS FOR COPIES OF ALL DOCUMENTS AND INFORMATION RECEIVED FROM UNITED STATES TO DATE, AND TO BE RECEIVED, TO BE GIVEN TO SAID COMMISSION. UNQUOTE.

2. TURKISH NEWSPAPER CUMHURIYET REPORTED SETP. 1 STATEMENT BY JUSTICE MINISTER ISMAIL MUFTUOGLU DAY EARLIER THAT UPON REQUEST BY PARLIAMENTARY INVESTIGATING COMMISSION, AND IN ACCORDANCE WITH INSTRUCTION FROM PRIME MINISTRY, ALL INFORMATION AND DOCUMENTS FROM AMERICA WILL BE GIVEN TO COMMISSION. "UPON INSTRUCTIONS OF PRIME MINISTRY, JUSTICE MINISTRY HAS NOTIFIED OFFICE OF ANKARA PUBLIC PROSECUTOR...PUBLIC PROSECUTOR'S OFFICE WILL GIVE ALL DOCUMENTS IN ITS POSSESSION TO OFFICE OF CHAIRMAN OF PARLIAMENTARY COMMISSION."

3. EMBASSY HAS CHECKED THESE STATEMENTS WITH GALIP BALKAR, ASSISTANT DIRECTOR, INTERNATIONAL SECURITY AFFAIRS, MFA, WHO WAS ONE OF NEGOTIATORS OF BILATERAL AGREEMENT. BALKAR, CONFIRMING DEMIREL'S STATEMENT, SAID THAT TO BEST OF HIS KNOWLEDGE, NO INFORMATION HAS YET BEEN TRANSMITTED TO PARLIAMENTARY COMMISSION. MFA HAS FROM BEGINNING POINTED OUT THAT SUCH TRANSFER WOULD VIOLATE CONFIDENTIALITY PROVISIONS OF BILATERAL.

4. AFTER CHECKING OUT MATTER, HE CALLED BACK TO REPORT THAT DIRECTOR FOR INTERNATIONAL SECURITY AFFAIRS, HAD ALSO SEEN NO EVIDENCE THAT DOCUMENTS HAD YET BEEN TURNED OVER.

5. BALKAR EXPLAINED THAT IN PRESENT COALITION GOVERNMENT, INSTRUCTION FROM PRIME MINISTER IS NOT AUTOMATICALLY IMPLEMENTED. JUSTICE MINISTRY, RECEIVING DEMIREL'S INSTRUCTION, HAD UNDERTAKEN STUDY OF ITS LEGALITY. BEFORE STUDY WAS COMPLETED, HOWEVER, MINISTER OF JUSTICE MADE STATEMENT REFERRED TO ABOVE.

6. BALKAR EXPLAINED THAT HE AND DIRECTOR ARE CIVIL SER-
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 ANKARA 07316 231632Z

VANTS AND MAY NOT BE PRIVY TO ALL THAT POLITICIANS ARE UP TO. OPPOSITION PARTIES HAVE PUT HEAVY PRESSURE ON DEMIREL TO PROVIDE INFORMATION TO PARLIAMENTARY COMMISSION, WHICH IS CHAIRED BY OPPOSITION REPUBLICAN PEOPLES' PARTY DEPUTY YILMAZ ALPASLAN. BALKAR THOUGHT IT WAS POSSIBLE THAT INTERNAL POLITICAL PRESSURE MIGHT FORCE TRANSFER.

6. COMMENT. UNDER TURKISH PENAL LAW SYSTEM, ALL DETAILS OF

INVESTIGATORY PHASE OF PENAL PROCEEDINGS ARE SECRET. PROCEEDINGS BECOME PUBLIC ONLY WHEN PROSECUTION GETS UNDER WAY. EMBASSY NOTES IN CONNECTION WITH THIS PRACTICE THAT DEMIREL'S STATEMENT GIVES NO INDICATION WHEN HE INTENDS TO TURN OVER DOCUMENTATION. FURTHERMORE, WHEN JUSTICE MINISTER SAID DOCUMENTS WOULD BE TRANSFERRED, HE ALSO STATED HIS AWARENESS OF CONFIDENTIALITY OBLIGATIONS OF BILATERAL.

8. EMBASSY IS REQUESTING THAT MFA DETERMINE WHETHER INFORMATION HAS BEEN PASSED TO PARLIAMENTARY COMMISSION AND IS REMINDING GOT OF ITS OBLIGATIONS UNDER BILATERAL AGREEMENT.
MACOMBER

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DOCUMENTS, TREATY VIOLATION, BRIBERY, ALLEGATIONS, MULTINATIONAL CORPORATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 23 SEP 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: powellba
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976ANKARA07316
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760359-0936
From: ANKARA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760930/aaaaazca.tel
Line Count: 127
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 76 STATE 234280
Review Action: RELEASED, APPROVED
Review Authority: powellba
Review Comment: n/a
Review Content Flags:
Review Date: 24 JUN 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <24 JUN 2004 by ifshinsr>; APPROVED <22 OCT 2004 by powellba>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: ALLEGED TURKISH VIOLATIONS OF AGREEMENT ON LOCKHEED DOCUMENTS
TAGS: PFOR, ETRD, EAID, MILI, TU, US, LOCKHEED
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006